

From: [Rafael Casanova](#)
To: [Gloria-Small Moran](#)
Cc: [Carlos Sanchez](#); [Robert Werner](#); [Gary Moore](#)
Subject: Falcon - Second Iteration of the Agreed Order for Resumption of the RI/FS
Date: 08/26/2011 02:54 PM

Gloria, this second iteration looks good. Following are my recommended changes to the language of Sections H.2. and H.3 to provide additional clarification of the documentation the EPA will use in determining a final action at the Site:

H.2. Should EPA select "no action" as the appropriate response action from the remedial action alternatives evaluated in the Feasibility Study Report; and based on the results of the Remedial Investigation, Human Health Risk Assessment, Screening Level Ecological Risk Assessment, and Baseline Ecological Risk Assessment Reports, or any other technical document produced as a result of the RI/FS; the monies remaining in the Special Account after the issuance of the Record of Decision (ROD) will be returned to NORCO.

The same changes should be made to Section H.3., and other sections as appropriate.

Additionally, I believe we will need the services of an oversight contractor (using our RACs 2 contractors by initializing a Statement of Work through our contracting staff) utilizing funding from the Special Account #2 to oversee the work and comment on the data and deliverables produced by NORCO. For obvious reasons, a "no action" decision would be most beneficial to NORCO. Even though the EPA is responsible for the ROD and the final decision, we would still have to base a final decision on the data produced by NORCO. Do you think we need to add language in the AO to reflect an oversight contractor? I believe this is already captured in the AOC for RI/FS.

I will call you to discuss my comments and concerns.

Rafael Casanova, P.G. (Remedial Project Manager, Environmental Scientist)
U.S. Environmental Protection Agency, Region 6
Superfund Division (6SF-RA)
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Work Telephone # - (214) 665-7437
Work Telephone Toll-Free # - 1(800) 533-3508
Facsimile # - (214) 665-6660
E-Mail - casanova.rafael@epa.gov

Assigned Sites for Investigation and Remediation:
(<http://www.epa.gov/earth1r6/6sf/6sf-tx.htm>):
Brine Service Company Superfund Site (Corpus Christi, Texas)
Donna Canal and Reservoir Superfund Site (Donna, Texas)
Falcon Refinery Superfund Site (Ingleside, Texas)
Many Diversified Interests, Inc. Superfund Site (Houston, Texas)
Palmer Barge Line Superfund Site (Port Arthur, Texas)
State Marine of Port Arthur Superfund Site (Port Arthur, Texas)



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